

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

R.J. Reynolds Tobacco Company,

Plaintiff,

VS.

Market Basket Food Stores, Inc., *et al.*,

Defendants.

Civil Action No. 05CV253

Hon. Richard L. Voorhees

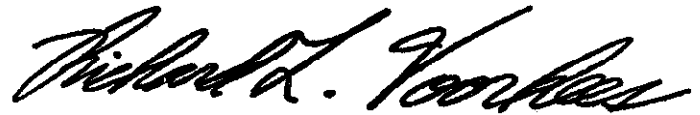
**AGREED ORDER OF DISMISSAL WITH PREJUDICE OF
DEFENDANTS STEPHEN HUNT, MARKET BASKET,
DANNY HILEMAN AND HILEMAN TOBACCO OUTLET**

The Court considered the respective Joint Motions to Dismiss of Plaintiff R.J. Reynolds Tobacco Company (hereinafter “RJRT”) and Defendants Stephen Hunt and Market Basket Food Stores, Inc. (collectively the “Market Basket Defendant Group”) and Danny Hileman and Hileman Tobacco Outlet, Inc. (collectively the “Hileman Tobacco Defendant Group”) brought under Federal Rule of Civil Procedure 41(a)(2), and acknowledges that all matters among and between those parties which were or could have been asserted in the above-referenced lawsuit have been resolved by respective agreements between them.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that all causes of action or claims asserted by RJRT against the Market Basket-Defendant Group and the Hileman Tobacco Defendant Group in the above-referenced lawsuit, or which could have been asserted by RJRT against those parties, or vice versa, are dismissed with prejudice.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, as between RJRT and the Market Basket Defendant Group and the Hileman Tobacco Defendant Group, each party shall be responsible for their respective legal fees and court costs.

This 30th day of March, 2007

A handwritten signature in black ink, appearing to read "Richard L. Voorhees", written in a cursive style.

Richard L. Voorhees
United States District Judge